

AGRICULTURE AND LAND-BASED TRAINING ASSOCIATION GRIEVANCE POLICY

THIS DOCUMENT IS NOT AN EMPLOYMENT CONTRACT AND DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS OR AFFECT ALBA'S RIGHTS UNDER FARM LEASES OR RELATED POLICIES. ALBA RESERVES THE RIGHT TO CHANGE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART, AT ANY TIME WITHOUT NOTICE.

Section 1. General

1.1 **Policy.** The Agriculture and Land-Based Training Association ("ALBA") aims to resolve problems and complaints in a prompt, orderly, and fair manner. To that end, this grievance policy establishes a series of steps, beginning with attempts to address problems as close to the source as possible and then involving higher levels of authority, including the Executive Director and board members, as necessary. This policy is designed to supplement—not to replace—other routine and informal methods of responding to problems and complaints.

Section 2. Scope

2.1 **Individuals Covered.** This policy applies to any person currently leasing ALBA land or currently enrolled in an ALBA program (a "Participant").

2.2 **Applicability.** This policy applies only to complaints concerning a decision or action, made by a person or group of persons acting in an official capacity on behalf of ALBA, that directly affects the Participant as an individual in her or his capacity as a Participant (a "Problem"). Problems do not include complaints about an ALBA policy of general applicability or an action taken by ALBA to enforce its rights under the Farm Lease.

Section 3. Procedure

3.1 **Step 1: Informal Resolution.** ALBA encourages the use of informal methods to resolve Problems as early as possible. A Participant will begin the process as follows:

(a) Within 10 days after the Problem arises, the Participant will speak directly with the farm manager. If the Participant believes that the farm manager will be unable to make an unbiased decision, the Participant may instead speak directly with the operations manager.

(b) The manager will consider the Problem. Within 10 days after discussing the Problem with the Participant, the manager will make a decision.

3.2 **Step 2: Executive Director Review.** A Participant who is unhappy with the resolution of the Problem under Step 1 may proceed under Step 2 as follows:

(a) Within 15 days after the Participant received a decision under Step 1, the Participant will file a written complaint with ALBA's Executive Director. If the Participant believes that the Executive Director will be unable to make an unbiased decision, she or he may instead file a written complaint with the ALBA Board of Directors' Executive Committee.

(b) In the written complaint, the Participant must specify the following:

- the name and contact information of the Participant;
- the names and titles of all ALBA staff members responsible for the decision giving rise to the Problem;
- the subject matter of and facts surrounding the Problem;

- a description of the efforts taken under Step 1 to resolve the matter informally;
- the outcome of Step 1;
- the reasons the Participant is unhappy with the outcome of Step 1; and
- the outcome wanted by the Participant.

In order to help meet these requirements, the Participant is encouraged to use the “Complaint Form” attached to this document.

(c) The Executive Director will consider the Problem. She or he may consult with other people and seek their input and recommendations. She or he may also send the Problem back to a lower administrative level (including the original decision maker under Step 1) for further consideration. The Executive Director will make a decision and notify the Participant of that decision in writing within 15 days after the filing of the written complaint.

(d) The Executive Director’s determination of the facts will be final. However, the Participant may appeal the decision to the Executive Committee under Step 3 to ensure that the decision is consistent with ALBA policy.

3.3 Step 3: Executive Committee Review. A Participant who is unhappy with the resolution of the Problem under Step 2 may proceed under Step 3 as follows:

(a) Within 15 days after the Participant received a decision under Step 2, the Participant may file a written appeal with the Executive Committee of ALBA’s Board of Directors (the “Committee”). Any Committee member named in the complaint will not participate in the review. A Participant may have a representative of her or his choice involved in the process.

(b) The written appeal must include the information required by Section 3.2.(b), as well as the outcome of Step 2 and the reasons the Participant is unhappy with that outcome. In order to help meet these requirements, the Participant is encouraged to use the “Complaint Form” attached to this document. The Participant may also present the Committee with evidence on her or his behalf.

(c) The Committee will consider the Problem and make a decision. It will notify the Participant of its decision in writing within 30 days after the filing of the appeal.

(d) The Committee’s decision will be final.

Section 4. Other Provisions

4.1 Confidentiality. A Participant’s use of or participation in the grievance policy will be kept confidential, except as appropriate to resolve the Problem. The farm manager and the operating manager may notify the Deputy Director or the Executive Director of the Problem during Step 1.

4.2 Relationship to Farm Lease and ALBA Policies. Nothing in this grievance policy limits, qualifies or otherwise affects ALBA’s rights or Participant’s obligations under the Farm Lease, the ALBA Farmer Policies or any other policies issued by ALBA. Should there be any ambiguity or conflict between the Farm Lease and this grievance policy, the Farm Lease will control.

4.3 Translations Not Binding. ALBA may provide Participants with a Spanish translation of this document and related summaries or other explanatory materials. ALBA does so as a convenience for Participants. Should there be any ambiguity or conflict between the English and Spanish language versions of these documents, the English language versions will control. They, not the Spanish translations, are the official, legally-binding documents.

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COMPLAINT FORM
CONFIDENTIAL

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|----------------------------------|
| Participant's Information |
| Name: |
| Status in ALBA Program(s): |
| Address: |
| Telephone #: |
| E-mail: |

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| Nature of Grievance |
| Names and titles of any ALBA staff members responsible for the decision or action giving rise to the problem: |
| Please describe the nature of the problem, stating all facts, including the time and place of the incident, the names of persons involved, etc. |
| Outcome sought: |

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| Resolution Process |
| Please describe any informal actions taken under Step 1 of this grievance policy to resolve this matter, the outcome of that process, and why you are unhappy with that decision. |
| If you have already filed a written complaint to the Executive Director under Step 2 of this grievance policy and are now appealing to the Executive Committee under Step 3, please describe the Deputy Director's or the Executive Director's resolution of the problem and why you are unhappy with that decision. |

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| Other |
| Please attach any other information or evidence that you would like the decision maker to consider when responding to this problem. |

I attest that the above is true and correct to the best of my knowledge.

Signature

Printed Name

Date Submitted